

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

DIANE C. BURKE,

Plaintiff,

v.

ANDREW SAUL¹,
Commissioner of Social Security,

Defendant.

NO. 3:19-cv-0574

(SAPORITO, M.J.)

ORDER

AND NOW, this 3rd day of April, 2020, IT IS HEREBY
ORDERED that:

1. The Commissioner's final decision denying the plaintiff's application for benefits under Title XVI of the Social Security Act is **VACATED** and **REMANDED** to conduct a new administrative hearing

¹ Andrew Saul was sworn in as Commissioner of Social Security on June 17, 2019. He is automatically substituted as a party pursuant to Fed. R. Civ. P. 25(d). See also Section 205(g) of the Social Security Act, 42 U.S.C. § 405(g) (action survives regardless of any change in the person occupying the office of Commissioner of Social Security). The caption in this case is amended to reflect this change.

before a different, constitutionally appointed ALJ;

2. The Clerk is directed to enter judgment in favor of the plaintiff;

3. The Clerk shall mark this case as **CLOSED**.

Dated: April 3, 2020

s/Joseph F. Saporito, Jr.
JOSEPH F. SAPORITO, JR.
United States Magistrate Judge